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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,635	09/23/2003	Keiji Kanota	450100-4804.1	2201
<div>7590 05/07/2007 FROMMER LAWRENCE &amp; HAUG, LLP. 10TH FLOOR 745 FIFTH AVENUE NEW YORK, NY 10151</div>			<div>EXAMINER TRAN, DENISE</div>	
			<div>ART UNIT 2185</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 05/07/2007</div>	<div>DELIVERY MODE PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20070427

DATE MAILED:

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**Commissioner for Patents**

### DETAILED ACTION

1. Newly submitted claims 25, 27, 29, 32, 33, and 37 filed 2/15/07 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

I. Claims 25, 27, 29, 32, 33, and 37 filed 9/5/06, are directed to recoding means for enabling continuous recording of a first information signal in a first data area and continuous recording of second information signal in a memo data area and wherein signals are recorded in a ring storage structure classified in class 360, subclass 48, elected by original presentation of claims. See 37 CFR 1.145 and MPEP § 821.03.

II. Newly submitted claims 25, 27, 29, 32, 33, and 37 filed 2/15/07 are directed to a multiplexer for separating AV data into audio data and video data and a processor for controlling information apparatus in accordance with a file system including a root area and the root area storing a count, classified in class/subclass 365/189.02; 711/154

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 25, 27, 29, 32, 33, and 37 filed 2/15/07 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

2. The amendment filed on 2/15/07 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because they directed to an invention that is independent or distinct from the invention originally claimed.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise Tran whose telephone number is (571) 272-4189. The examiner can normally be reached on Monday, Thursday from 8:45 a.m. to 5:15 p.m.. The examiner can also be reached on alternate Friday

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sanjiv Shah, can be reached on 571-272-4098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Denise Tran".

Denise Tran

4/30/07